

SEP 28 2004

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Rubino et al.

Application No.: 10/770,719

Filed: February 3, 2004

For: RUGGEDIZED OPTICAL FIBER
REARRANGEMENT DEVICE

Group: Not Yet Known

Examiner: Not Yet Known

Our File: OIC-PT024.1

Date: September 28, 2004

**DECLARATION OF MR. RANDOLPH J. HUIS
IN SUPPORT OF PETITION UNDER 37 C.F.R. §1.47(a)**

I, Randolph J. Huis, hereby declare and state as follows:

1. I am an attorney of record in the above-referenced patent application wherein Robert Rubino, Patricia Dawson and Kevin Tabor are named as joint inventors.

2. The last known address of Robert Rubino is set forth in the Declaration for Utility or Design Patent Application and is the same as that set forth in all letters forwarding the application papers for signature.

3. On January 16, 2004, a letter was forwarded via first class mail to Mr. Rubino with the application papers and the Declaration for Utility or Design Patent Application for the present application requesting that he sign and return the Declaration. A copy of the letter is attached as Exhibit A. No response was received from Mr. Rubino.

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4. On February 18, 2004, a letter was forwarded via certified mail to Mr. Rubino with the application papers and the Declaration for Utility or Design Patent Application and an Assignment of this application to Schott Corporation. The letter requested that Mr. Rubino sign and return the Declaration. Copies of the letter and certified mail return receipt is attached as Exhibit B. A signed declaration was not returned by Mr. Rubino. However, Mr. Rubino did sign and return the assignment document, which was recorded on April 13, 2004 on Reel 014513 at Frame 0629. A copy of the signed Assignment and Notice of Recordation are attached as Exhibit C.

5. On April 13, 2004, a letter was forwarded via certified mail to Mr. Rubino with the application papers and the Declaration for Utility or Design Patent Application requesting that he sign and return the Declaration. Copies of the letter and certified mail return receipt is attached as Exhibit D. No response was received from Mr. Rubino.

6. On June 23, 2004, a letter was forwarded via certified mail to Mr. Rubino with the application papers and the Declaration for Utility or Design Patent Application requesting that he sign and return the Declaration. Copies of the letter, certified mail receipt, and original envelope is attached as Exhibit E. The letter was unclaimed by Mr. Rubino as evidenced by the enclosed stamped original envelope copy.

7. On July 21, 2004, a letter was forwarded to Mr. Rubino via first class mail with the application papers and the Declaration for Utility or Design Patent

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Application requesting that he sign and return the Declaration. A copy of the letter is attached as Exhibit F. No response was received from Mr. Rubino.

8. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present application or any patent issuing thereon.

Date

9/28/2004


Randolph J. Huis